

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of

John WIRTH

Atty. Ref.: 3584-7

Serial No. 10/004,107

TC/A.U.: 3627; Conf. 3906

Filed: December 6, 2001

Examiner: Kramer, James A.

For: METHOD AND SYSTEM FOR BROWSING AND
ORDERING FROM CATALOGS VIA THE INTERNET

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Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 8, 2008

REPLY BRIEF

Sir:

Applicant replies to the Examiner Answer mailed December 13, 2007.

A. Differences Between Invention and Prior Art:

All independent claims, i.e., claims 1, 8, 15, 19 and 47 to 50 are directed to a method or a system for browsing a product catalog and ordering from product pages accessed through the catalog, via the Internet or a telecommunications network. The claimed methods and system relate to an electronic product catalog having low resolution catalog pages that display products, product pages having high resolution product images and product descriptions and ordering data blocks, and a selectable link between the product images shown in the catalog pages and the product pages. The claims define a website catalog that allows for fast downloads to promote easy browsing of catalog pages

and high resolution product images to give prospective customers a detailed product picture that is accompanied by an order block to purchase the product .

A difference between the claimed invention and the Harold's website catalog, which is the primary reference is that Harold's does not disclose:

- Low resolution catalog pages displaying images of products and associated files for a product displayed on the catalog page, where the associated files include a high resolution image of the product and an "order data block" for ordering the product. (*See* Independent claims 1, 8, 15, 19 (which recites "order entry" rather than "order data block), and 47 to 50).

Contrary to the Answer, the Harold's website catalog does not show "a low resolution scan of a catalog page" and "a detailed product presentation ... [that] is a high resolution image of the product." (Answer p. 4). Further, the product image in the Harold's catalog has a link to an "online form" which does not constituted the claimed "an order data block containing at least one entry of ordering information for said product and a corresponding link for each ordering information entry for directly purchasing said product" recited in claim 1 and the other independent claims. The other applied references do not disclose website based product catalogs, or recognize or address the problems associated with online product catalogs.

B. Prior Art Does Not Teach Fast Downloads of Catalog Pages and High-Resolution Downloads of Product Pages With Ordering Fields

The Answer states that "Harold's is silent as to the specifics of how the low-resolution scan is generated." This statement in the Answer improperly suggests that

Harold's catalog discloses a low resolution scan of a catalog page. There is no disclosure in Harold's that the catalog page is "low resolution" or that the catalog pages are at a lower resolution than the product images.

The "detailed product presentation" identified in the Action as pages 12 of 13 and 13 of 13 of the Harold's website bears a notation "Ipage2a.GIF (30366 bytes)". This notation alone does not indicate the resolution of associated product image or that the resolution of the product image is different than the resolution of the catalog pages shown on the other pages of the Harold's catalog.

Parulski et al and the Image Splitter reference do not address product catalogs, website presentations of products, or presenting information regarding products to be ordered. Parulski et al teach storing high resolution and low resolution files of the same image. Parulski et al do not teach storing a high resolution image that downloaded by selecting a low resolution picture of a different image. The claimed method and systems have low resolution images of catalog pages and high resolution of images of products shown in the catalog pages. The high resolution product images are different than the catalog pages. In contrast, Parulski et al describe storage of two copies of the same image. There is no recognition in Parulski et al of the competing desires for fast downloading of catalog pages and detailed product images. Parulski et al would not have led a person of ordinary skill to modify the Harold's website such that catalog pages were low resolution images and product images where high resolution images.

C. Image Splitter Reference Does Not Suggest High Resolution and Low Resolution Images (Applicable to Claims 1, 8, 15 and 19)

The Image Splitter reference is applied in the Answer and Final Action to support a conclusion that it would have been obvious to split the images of two catalog pages in the Harold's catalog into separate scan files for each catalog page. Such a result is not the invention. Independent claims 1, 8, 15, 19 recite a low resolution image file for providing catalog pages and high resolution image files of product description. Even if it were obvious to combine the Image Splitter product with the Harold's website, the result would have been a slit image of the two catalog pages. The Image Splitter product states:

You can select method of fragmentation. **Your resulting picture looks exactly equal to the original during seamless integration of slices.** User's Internet browser will load slices of the picture simultaneously!

Image Splitter 1.36 (Emphasis added). This result is contrary to the claimed invention that requires display of a high resolution image of a product shown in a catalog and not splitting two pages from one page. By teaching splitting one image into two images, the image splitter reference teaches away from selecting a high resolution image of a product shown on a low resolution catalog page.

D. Order Data Block

With respect to the ability to order products from the high resolution product page, independent claim 1 requires:

a detailed product presentation file for displaying said detailed product presentation, said presentation comprising at least a high resolution photograph of said product and an order data block containing at least one entry of ordering information for said product and a corresponding link for each ordering information entry for directly purchasing said product. (emphasis supplied).

The other independent claims include similar limitations regarding the order of products from the presentation with the high resolution picture.

Pages 12 of 13 and 13 of 13 of the cited Harold's catalog do not provide an "order data block" corresponding to ordering information for products. The "detailed product presentation" from the Harold's catalog example cited in the Answer simply states on page 13 of 13: "To order simply write this information down and order from our on-line form. Or call 1-800-676-5373." The Harold's catalog requires the inconvenient and indirect steps of writing down product information before going to the link for a separate on-line ordering form or calling the telephone number listed on the website page to purchase products. Accordingly, the Harolds catalog does not suggest the "order data block" required by the claims.

E. Differences Establish Non-Obviousness of Invention

There is no recognition in the applied prior art of the needs for catalog pages that download quickly from a website or the downloaded pages of products selected from the catalog pages to include high-resolution product images and an on-line product ordering function. The invention addresses these competing and inconsistent needs. Further, the applied prior art does not suggest that an order block should be included in the same

screen presentation as a high resolution image of the product to be ordered. The inventor recognized the needs for fast downloading of pages from a product catalog website, detailed images of products and direct ordering blocks for products. The inventor conceived of a compromise of these competing needs that allows for fast downloading of catalog pages, and possibly slow to download screen presentation having high resolution product images and product ordering blocks. This compromise is not taught by the prior art and is only evident by way of hindsight gained from this application. The differences between the invention and the prior art would not have been obvious to a person of ordinary skill in the art.

CONCLUSION

In conclusion, the final rejections should be overturned. The application is in clear condition for allowance. Early reversal of the Final Rejection and passage of the subject application to issue are earnestly solicited.

Respectfully submitted,

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